
UNIVERSITI SAINS MALAYSIA

Second Semester Examination
2009/2010 Academic Session

April/May 2010

RMT 555 – Legal Environment
[Persekitaran Perundangan]

Duration: 3 hours
[Masa: 3 jam]

Please check that this examination paper consists of THREE pages of printed materials before you begin the examination.

Sila pastikan bahawa kertas peperiksaan ini mengandungi TIGA muka surat yang tercetak sebelum anda memulakan peperiksaan ini.

Students are allowed to answer all questions either in English OR Bahasa Malaysia only.

Pelajar dibenarkan menjawab semua soalan dalam Bahasa Inggeris ATAU Bahasa Malaysia sahaja.

Answer **FOUR** questions only.

*Jawab **EMPAT** soalan sahaja.*

In the event of any discrepancies, the English version shall be used.

Sekiranya terdapat sebarang percanggahan pada soalan peperiksaan, versi Bahasa Inggeris hendaklah digunapakai.

1. How to minimize “unnecessary costs” on sites?

Bagaimana meminimalkan kos-kos tak perlu di tapak bina?

(25 marks/markah)

2. In relation to their clients, Professionals shall exercise all reasonable skill, care and diligence in the discharge of the professional services as agreed to be performed by him. Please discuss in the construction laws perspective.

Para Profesional perlulah bertindak dengan teliti, berhemah dan menggunakan kepakarannya secara wajar dalam hubungannya dengan kliennya. Bincangkan daripada perspektif undang-undang pembinaan.

(25 marks/markah)

3. Is it true that the imposition of “Liquidated Ascertained Damages” is unfair to the contractor, and merely for the advantage of the client or project owner?

Benarkah pengenaan “Gantirugi Yang Ditetapkan (LAD)” tidak adil kepada kontraktor, dan hanya menguntungkan klien/tuanpunya projek sahaja?

(25 marks/markah)

4. The health, safety and welfare of workers at construction site is of paramount importance to the success of the construction industry in Malaysia.

Discuss the legal provisions relating to the health, safety and welfare of workers as provided by the Malaysian legislation.

Kesihatan, keselamatan dan kebajikan pekerja di tapak pembinaan sangat penting bagi kejayaan industry pembinaan di Malaysia.

Bincangkan peruntukan undang-undang terhadap kesihatan, keselamatan dan kebajikan pekerja yang diperuntukan oleh undang-undang Malaysia.

(25 marks/markah)

- 3 -

5. The construction activity if not properly carried out can cause nuisance to the public.

Discuss the law of tort on nuisance in relation to the construction industry.

Aktiviti pembinaan jika tidak dijalankan dengan baik boleh menyebabkan mudarat kepada orang awam.

Bincangkan undang tort berkenaan mudarat dalam context industry pembinaan.

(25 marks/markah)

-ooo00ooo-